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ABSTRACT

This handbook describes services that rehabilitation has to offer business, outlines how practitioners may approach business with these services, and provides resource information and material that the practitioner may find helpful in this work. Covered in the individual chapters are the following topics: the basic services that rehabilitation can offer business, authority, common questions often asked of rehabilitation practitioners, assessment, recruitment, accommodation and accessibility, compliance, internal mobility, training, supervisor awareness, interventions, government programs, business response, and procedures for making the partnership work. A brief bibliography concludes the guide. (MN)

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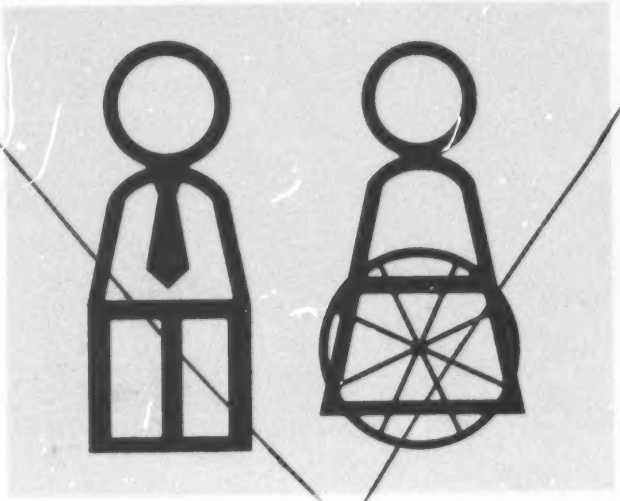

The Business - Rehabilitation Partnership

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Arkansas Rehabilitation Research and Training Center
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Preface

The Business-Rehabilitation Partnership describes services Rehabilitation has to offer to business, outlines how the practitioner may approach business with these services, and provides resource information and material the practitioner may find helpful in this work.

Frank Bowe and Jay Rochlin suggest that Rehabilitation sharpen its focus upon placement and other business-related services. Practitioners reviewing this book before its publication strongly recommended that state directors and organization administrators take the first step by stating explicitly that such a focus is a priority for the agency.

This publication is one in a series offered by the Arkansas Rehabilitation Research and Training Center under a cooperative agreement with the U.S. Education Department's National Institute of Handicapped Research. **Demography and Disability,** by Frank Bowe, already is available. ARR&TC will also distribute two videotapes produced by AT&T in which Jay Rochlin and Frank Bowe discuss affirmative employment policies and the economics of disability and age.

The ARR&TC is at the service of Rehabilitation in the Southwest and throughout the nation. We welcome your inquiries.

Vernon L. Glenn
Director

The Arkansas Rehabilitation Research and Training Center is engaged in an ongoing program of employment-related research and training under Cooperative Agreement G00830010 between the National Institute of Handicapped Research (NIHR) in the U.S. Education Department, the University of Arkansas, and the Arkansas Division of Rehabilitation Services.

This publication is one of the products of that agreement. The Arkansas Rehabilitation Research and Training Center plans to issue further reports and sponsor relevant training over the course of the next five years.

The Authors

Frank Bowe wrote **Handicapping America, Rehabilitating America,** and **Comeback,** all published by Harper & Row. As head of FBA Inc., a management consulting firm, he has worked closely with AT&T and other large corporations on affirmative action policy. In 1983, he served as Visiting Professor with the University of Arkansas Rehabilitation Research and Training Center. Dr. Bowe's latest book is **Awake the Dream.**

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Chapter One
Introduction

What does Rehabilitation have to offer business, other than qualified applicants interested in employment?

The answer, from business executives themselves, is: "A lot!"

Examples of some of the more common questions to which Rehabilitation can respond are: What does section 503 of the Rehabilitation Act require of industry? Where are accommodation aids and devices available? What training does a supervisor of a handicapped employee need? How can an assessment of a disabled applicant's strengths and weaknesses be done in a fair and objective manner? How can a company overcome attitudinal barriers to employment of persons with disabilities? What are the details of the Job Training Partnership Act, the targeted jobs tax credit regulations, and the Projects with Industry program? How do workman's compensation rules affect the company? And of course: What can Rehabilitation offer business?

Answers

1. **Individual assessment.** Rehabilitation can perform comprehensive, fair and objective evaluations of applicants and employees who become disabled while working for a company. Business often is reluctant to do such assessments because it does not understand how to perform them properly.

2. **Outreach and recruitment assistance.** Business often does not know how to find qualified handicapped and veteran applicants. Business may not have contact with Veterans Administration liaison people nor be familiar with Rehabilitation clients, including those who are veterans, and know where to find those who meet criteria for jobs. As a practitioner, you can help business locate these persons.

3. **Accommodation and accessibility information.** Business frequently asks consulting engineers and architects for help on accommodations and access—only to express surprise at high cost estimates. As a practitioner, you know about the resources that business is seeking.

4. **Advice on compliance with Federal laws.** In addition to architectural access and job modification consultation, you can offer assistance to business about ways in which it may comply more fully with Federal requirements. Many company managers are unaware of the specific provisions of section 503 of the Rehabilitation Act and of section 402 of the Vietnam-Era Veterans Readjustment Assistance Act. As a practitioner, you are in a position to explain these laws to them—and to help them apply the requirements to their own businesses.

5. **Assistance in upward and lateral mobility.** Even when hiring is "down," business moves its people internally. You can help answer the questions internal movement raises with handicapped employees.

6. **Retraining of employees.** As many jobs disappear, workers need to be retrained. Particularly when these workers have communication impairments, such training presents problems for business. As a practitioner, you can help solve many of these problems.

7. **Supervisor awareness.** When a handicapped employee is placed in a job, the employee's supervisor often needs some training about the disability. Many times, too, co-workers would benefit from awareness training. As a practitioner, you can help to provide the necessary understanding and knowledge to these people.

8. **Interventions that work.** Troubled-employee assistance can be important. Problems arise with handicapped workers as they do with other workers. Corporate counseling and supervisory staff members often are unsure how to deal with these problems. Many companies have "employee wellness programs" and other services for employees who have problems with alcoholism, irregular attendance patterns, getting along with co-workers, and similar kinds of issues. When the involved employee is handicapped, business frequently does not know how to intervene effectively. You can help.

9. **Participation in government programs.** Many employers would like to take part in targeted jobs tax credit programs, on-the-job training programs, and the like. But frequently they do not know how to qualify for participation—or fear that the "paperwork" requirements will be overwhelming. Practitioners can assist them.

This Deskbook is designed to help Rehabilitation practitioners better perform such services. Throughout the book, we emphasize the importance of **personal relationships** you as a practitioner develop with business people. Such relationships build and sustain the "business-rehabilitation partnership."

Chapter Two
Authority

What authority does Rehabilitation have for performing such services with business?

The answer from Federal regulations is: "Sufficient authority."

As a practitioner, you may answer business' questions, arrange for assessments, refer clients for openings, provide accommodation and accessibility information, offer advice on sections 503 and 402, and inform business of governmental programs within the context of client services and placement. Within the authority provided by Federal law, you may provide upward or lateral mobility assistance, retraining, supervisor awareness, and intervention aid in the context of post-employment services.

Your State Agency Director may determine the relative priority of these activities for the State Agency.

Questions sometimes arise with respect to post-employment services. For this reason, we will discuss the applicable provisions from section 1543 of the **Rehabilitation Services Manual** in this chapter.

The **RSM** offers general guidelines for post-employment services. In section 1543.04 it notes: "As the vocational rehabilitation program directs its efforts to serving the severely handicapped, the planning for and the provision of post-employment services become **more important** elements of State vocational rehabilitation agencies' services." (Emphasis added.)

Section 1543.07 offers criteria for provision of post-employment services:

"(a) The individual has been determined to be rehabilitated;
(b) Post-employment services are necessary to assist the individual in maintaining employment; and
(c) Solution of the problem does not entail a complex or comprehensive rehabilitation effort, i.e., a new and distinct handicapping problem has not arisen which may be

handled more appropriately as a new case under a new determination of eligibility, and a new individualized written rehabilitation program."

In the next section, section 1543.08, the **RSM** notes that economic need is **not** a factor to be considered. To the extent that "priority of service" restrictions apply because of State Agency budgetary constraints, these are not to be different in post-employment than they were in pre-employment services.

The **RSM** singles out upgrading services as particularly appropriate for State Agency practitioners to provide. These services should not be intended merely to enhance the individual's economic status, but rather should be designed to help the person move closer to his or her actual vocational potential. The manual observes that upgrading services may be helpful to maintain the individual in employment and to improve the person's ability to function independently. Upgrading services, then, may actually reduce the need for later post-employment services or may produce termination of such services altogether.

Some limitations in post-employment services are important to bear in mind. Rehabilitation should offer such assistance when additional services are consistent with the individualized written rehabilitation program (hereafter, IWRP). The **RSM** recommends that practitioners attempt to anticipate future needs when preparing the IWRP at the client determination stage; the IWRP might project a point beyond which services no longer would be provided. However, practitioners may justify re-opening of a closed case based upon significant changes in the individual's needs or medical status; in such instances, a new IWRP may be developed by the practitioner and client jointly.

Section 1543.06 states: "Neither the Act nor the Regulations permit the setting of Federal durational limits on the provision of post-employment services." The duration of service is to be decided on a case-by-case basis.

The **RSM** observes, in section 1543.08, that acute conditions, which if left untreated might endanger rehabilitation results, may be provided for using Rehabilitation monies only if the client has not yet been closed as rehabilitated. Exacerbations of existing conditions or recurring problems, as with progressive conditions, may permit post-employment intervention. Practitioners may re-open a case and develop with the individual a new IWRP if justified by the situation.

Generally, post-employment services will be most effective when **planned** as part of the IWRP during the client determination process.

The **RSM** adds that the State Agency may contract with, and pay appropriate fees to, other agents as provided by State legislation and regulation for the purpose of offering post-employment services. The State Agency may also use Agency personnel for such a purpose. Regardless, the responsibility rests with the State Agency.

The Rehabilitation Act and its implementing regulations specifically **exempt** post-employment services from the "similar benefits" provision. Nevertheless, should similar benefits be available from a non-State Agency source, as with physical or mental restoration, transportation, and interpreter services, these offerings should be planned with consideration given to the availability of outside resources.

Post-employment services may be terminated when (**RSM**, section 1543.11):

(a) The problem precipitating such services has been resolved;
(b) The individual has attained sufficient independence to function without continuing post-employment services;
(c) The counselor decides to discontinue services;
(d) Employment appears secure as determined by continuing suitable work performance, job satisfaction, acceptance by the employer, and opportunity for job development and advancement; or
(e) The client's condition or situation becomes such that post-employment services cannot maintain him in employment.

The **RSM** requires that an amendment to the IWRP be developed and maintained under the same principles of client involvement as were needed for its original preparation, and it

describes the type and extent of post-employment services to be provided. Progress should be documented, as should final results.

"Adequacy of the provision of post-employment services, especially for the severely handicapped, will be one of the standards by which State programs will be evaluated. State agencies are required to maintain adequate records for evaluation purposes, describing, as a minimum, the types, costs, and frequency of services, types of disabilities of individuals who receive post-employment services, and outcomes." (**RSM**, section 1543.16.)

Chapter Three
Common Questions

Some suggested responses to questions often asked of Rehabilitation practitioners:

1. **Question:**
   What does the law say?

   Answer:
   Employment law requires that qualifications criteria be "job-related." Personnel decisions are to be based upon universal and standard criteria providing for a rational, non-discriminatory process of selection for training, promotion, termination and other personnel processes. These are general requirements; they apply to disabled or handicapped persons as well as to others. For firms that do business with the Federal Government, usually through contracts for products or services, two other laws apply as well: the 1973 Rehabilitation Act, (if the amount of business in a given year exceeds $2,500) and the 1974 Vietnam-Era Veterans Readjustment Assistance Act (if the amount of contract work totals more than $10,000). Those two laws require nondiscrimination on the basis of disability and veteran status specifically, and call for affirmative steps in recruitment, employment, training, internal movement, and other personnel processes.

2. **Question:**
   What is meant by "reasonable accommodation?"

   Answer:
   The two laws just mentioned require you to make reasonable accommodations, as needed, for qualified handicapped or disabled individuals. This may include any assistance, aids, or worksite modifications disabled persons might need in order to do work for which they are qualified. If the costs clearly are excessive, or if the accommodation would disrupt operations or endanger worker safety, you may decline to accommodate on the basis that the needed changes are not reasonable, that is, that these measures constitute "undue hardship" on the business. Employers have had much experience with reasonable accommodations over the past decade. Generally, such steps are inexpensive and readily made. Most are just common sense. Very few are really costly.

3. **Question:**
   What are some examples of reasonable accommodation?

   Answer:
   The decision has to be made on a case-by-case basis. For example, a deaf machine operator may be accommodated with a light on the equipment that signals malfunction when its auditory buzzer sounds. There may be a need to have the supervisor communicate to the worker with pad and pencil; to bring in an interpreter for staff

meetings; and perhaps to have co-workers and the supervisor learn how to "fingerspell" and make some "signs" for commonly used words. In addition, you'd want to work out some way to deal with special problems: how to be sure the worker knows when an emergency occurs (as by having a co-worker escort him or her from the work area), how to allow the worker to call in sick when needed (as with an inexpensive TDD, or **T**elecommunications **D**evice for the **D**eaf), and how to forestall harassment (as by orienting co-workers to deafness). A worker with a mobility limitation might need an accessible work location, as with ramps instead of stairs. These may be inexpensive wooden ramps. A blind worker might need to "borrow" a clerical worker for a few minutes each day to read mail to him or her.

4. **Question:**
Who can tell me more? I don't know how to do those things.

Answer:
My State Agency will be pleased to provide you with all the information you need, when you need it. There is no charge for that service. And if we don't have the answer, we know who does—and we will get it to you.

5. **Question:**
What will happen to our insurance if we hire a handicapped person?

Answer:
Remember that most group insurance is just that: **group** insurance. Your rates are based upon your type of operation and the experience of the group with respect to claims. Studies show that handicapped workers have no more accidents than do other workers; in fact, on average, disabled employees are safer than are others. DuPont, for example, employs more than 2,700 handicapped workers, of whom 96% were rated average or above average in safety, as compared to 92% of nonhandicapped employees. Most major insurance carriers encourage businesses to hire handicapped workers into jobs for which they qualify.

6. **Question:**
But can they do the job?

Answer:
DuPont, again, is typical. Its 1981 survey found that handicapped workers were rated just as highly on job performance as were other workers: 92% were rated average or above average. Remember: the law requires you to practice nondiscrimination on the basis of disability only with respect to applicants and employees who are qualified for a particular job. Our State Agency will not refer to you a worker who does not meet your criteria for employment. Given needed, reasonable accommodation, the people you hire are fully prepared to do the work you want done.

7. **Question:**
What about workman's compensation?

Answer:
Again, as with other forms of insurance, your rates are not likely to rise. American Mutual Insurance Alliance notes, for example, that since handicapped workers are usually safe employees, workman's compensation rates usually are unaffected. One question often asked has to do with "second injury" laws. These differ from state to state. Generally, though, the intent is to encourage you to hire handicapped workers, not to penalize you for doing so. I can give you more information if you desire.

8. **Question:**
Our applicant and employee evaluation processes are not normed on handicapped people. How can I test them?

Answer:
If you have reason to believe that a particular disability will interfere with fair testing, you may waive the test and assess the candidate on other grounds, such as past performance, previous work experience or completion of developmental training. If appropriate, our State Agency can perform a comprehensive assessment for you.

9. **Question:**
I want to do this right. What's the biggest mistake other employers have made?

Answer:
Probably basing their personal decisions on the handicap and not on the person. They try to fit the individual into stereotyped, preconceived "blind jobs" or "deaf jobs," and the like. We recommend that you first see if the individual qualifies for a particular job; match criteria against qualifications. Then, and only then, look at the limitations and see if an accommodation is called for. Deciding whether or not to hire, train, place, or advance a person on the basis of disability, instead of on the same grounds used with others in the company, is not lawful. It's also poor business.

10. **Question:**
What if problems arise later?

Answer:
Handicapped employees, like other employees, usually will suggest solutions. Ask them. Our State Agency is a source of assistance after employment, if appropriate, and we will be pleased to work with the employee, the supervisor, the firm's practitioners, and others to resolve the problem.

Chapter Four
Assessment

Rehabilitation may perform client evaluations to produce timely information on an individual's ability to perform certain kinds of work. The assessment may be done at the client determination stage, at pre-placement to evaluate qualifications for an opening, as a post-employment service prior to a possible promotion, and in workman's compensation cases.

We recommend that you, as a practitioner, discuss the pending evaluation with the individual. Talk about what will happen and who will be told the results. With the client's permission, results may be shared with an employer or prospective employer if appropriate.

There are two basic instances that occur with business:

1. An interviewer or personnel staff member requests an evaluation. Share with that person, as appropriate, information related to any **limitations** with respect to **that job**. If the data are not job related, do not divulge them. Couch your language in terms of **limitations** ("Joe meets your criteria for this job but he will have difficulty climbing stairs to the work location") and **not disability** ("Cerebral palsy weakened his leg muscles significantly"). Remember: keep your comments strictly **job related** (business is not permitted to apply non-job related criteria to personnel processes under employment law) and talk about **limitations** or restrictions rather than medical conditions, disabilities or handicaps. Employers must accommodate to limitations, not to conditions.

2. The company medical staff request an evaluation. With the handicapped individual's permission, the assessment report may be shared with the company's medical staff. Again, however, be sure that the report discusses the individual's status with respect to the **particular job** for which the person is being considered.

To reinforce the point: If you are reporting to a personnel staff member, a supervisor, a trainer, or any non-medical staff member in a particular company, avoid any talk of medical conditions. State any limitations found with respect to a particular job, but do **not** explain **why** that limitation exists. It is only with corporate medical staff that the report would get into the cause of the limitation.

And let the client know what you will be saying and to whom you will be saying it

Evaluations generally should be **timely** and **targeted.**

If an assessment was performed at the client application stage well over one year ago, a new evaluation may be called for. And if the original workup was a general one not related to any particular kind of work, a second study may be appropriate once a specific occupation has been decided upon.

At the pre-placement stage, a **vocational evaluation** may be requested by a company that is not confident that its own procedures would produce a fair and objective assessment. Occasionally, a **medical evaluation** may also be requested. As a practitioner, you need to decide if available information is current (not outdated) and appropriate for release to the employer.

At the post-employment services stage, vocational or medical evaluations may be needed if the individual is being considered for a different kind of job, or promotion to a position requiring different skills not previously assessed, **or** if there appears to have been a marked change in performance capacity or medical status. The practitioner should determine the appropriateness of Rehabilitation services in these instances.

With workman's compensation cases, the practitioner may function as a **central contact** for all involved parties, communicating with medical, legal, insurance, and employer, as well as with the worker.

The practitioner's role in workman's compensation cases can be a valuable one. The practitioner can:

1. Arrange for a vocational evaluation which will assess, in a timely fashion, the limitation(s) which the individual's industrial injury has produced;
2. Determine how these limitations may be overcome through medical, therapy and prosthetic/orthotic services;
3. Arrange for such treatment;
4. Assist the employer in locating a suitable position for the returning worker, one that the person can perform despite any new limitations;
5. Recommend any "reasonable accommodations" appropriate;
6. Provide counseling and guidance to the worker to facilitate return to productive work;
7. Arrange for any retraining necessary, or advise the company on how to make such retraining "accessible;" and
8. Follow up after return to work to ensure that all problems and obstacles are surmounted.

Chapter Five
Recruitment

Business often is frustrated in its attempts to locate qualified handicapped and veteran applicants for jobs it has available. This is an important area in which Rehabilitation can make a real contribution.

As a practitioner, you should consider doing these things:

1. Referring to area firms **only** fully qualified individuals. By doing so consistently, you will acquire a reputation as a reliable source of qualified candidates;
2. Beginning your referrals to a given company with the **creme de la creme** of your State Agency's current job-ready clients. When an employer gains experience with a satisfactory employee, he or she is much more open to hiring more handicapped persons;
3. Maintaining a file of **sources** of qualified handicapped persons within the Agency as well as outside it; and
4. Helping the employer look **internally** for qualified handicapped candidates. Business often overlooks its own employees who are handicapped out of a misguided assumption that these persons can perform only the work to which they already are assigned or because it does not understand how to upgrade handicapped employees.

By performing these tasks, you as a practitioner will help business overcome one of its major stumbling blocks to affirmative action with handicapped individuals. Study after study reveals that corporate executives find outreach and recruitment particularly difficult with this population. They go to state employment agencies, schools for deaf and blind children, and similar sources, only to return without any suitable candidates. The result: qualified handicapped individuals who are "out there" never get the jobs that business has to offer.

Your **source file** will prove very valuable to you as a practitioner. Even if the State Agency cannot respond immediately with a qualified candidate for a particular job, the fact that you helped an employer locate a suitable source increases your value to the company. You will find the firm contacting you on a regular basis for all its openings, not just accepting your repeated calls asking for information. There's a world of difference between the two.

And remember: the most successful recruitment is that which happens **after** employment. Follow up to ensure that the placement is a successful one.

Chapter Six
Accommodation and Accessibility

Often, the difference between a successful placement and an unsuccessful one lies in the adjustments made to ensure that the person's limitations are surmounted.

You should familiarize yourself with the ANSI 117.1 (1980) standards for accessibility as well as with any applicable state codes. The National Center for a Barrier Free Environment (1015 Fifteenth Street, N.W., Suite 700, Washington, D.C. 20005) has a wealth of information you will find helpful. In particular, **Access Information Bulletins** ($2.50 each) and **Technical Assistance Network** (geographical listings of consultants with expertise in accessibility; $5) are helpful. The Architectural and Transportation Barriers Compliance Board (330 C Street, S.W., Room 1010, Washington, D.C. 20201) has a free brochure, **Selected Resources for Accessibility,** which lists information sources.

On accommodations, **Reasonable Accommodation Handbook** (AT&T, 1982) is now distributed by the National Center for a Barrier Free Environment (address above) for $25 to nonprofit organizations, $35 to businesses. In addition, ABLEDATA, a resource of the National Rehabilitation Information Center (Eighth and Varnum Streets, N.E., Washington, D.C. 20064) may prove helpful. Some states have their own ABLEDATA "brokers" trained in the use of this computerized system. As we went to press, the President's Committee on Employment of the Handicapped (Washington, DC 20210) was planning to offer a computerized information service specializing in business-use accommodation devices and aids.

Some Suggestions

Remember that Federal law requires that businesses doing work under Government contracts have "accessible" facilities for their handicapped applicants and employees. **Accessible** does **not** mean barrier-free. Only new buildings need be completely free of

architectural barriers; existing buildings may have some barriers as long as there is **a way** for an individual to get to the interview room, to common facilities such as lobbies and cafeterias, and to and around the worksite.

And recall that not all accommodations are devices. Sometimes, just writing to a deaf employee, talking to a blind employee and walking over to a mobility-impaired employee can be a "reasonable accommodation"—and can be effective.

We suggest you remind employers to talk directly to the involved handicapped applicant or employee about any accessibility and accommodation issues. Involvement of the person is absolutely vital—and all too often is overlooked.

Chapter Seven

Compliance

SECTIONS

402 503 504

Sections 402 and 503 which apply to Federal contractors, require employers to practice affirmative action on behalf of applicants and employees who are handicapped individuals or "covered" veterans. Some employers also receive grants from Federal or State government agencies; if so, they are subject to section 504 of the Rehabilitation Act. We can offer only a summary of the Federal requirements of employers here, but much more information is available from national organizations and agencies.

1. Recruitment must be **targeted** to "stimulate a flow" of qualified handicapped and covered-veteran applicants. It is not enough merely to assume that handicapped persons will see advertisements.

2. Employers must offer **equal opportunity** at all levels of employment, not just at entry level. Employees as well as applicants must be afforded chances at higher-level jobs.

3. **Reasonable accommodations** are to be made to the known limitations of qualified handicapped and covered-veteran individuals. See the Introductory Section of **Reasonable Accommodation Handbook** (NCBTE, Washington, D.C.) for an in-depth discussion of the issues raised by reasonable accommodation. This section also explains in some depth the requirements imposed by sections 402, 503 and 504. Many State Agency Directors have copies of the **Handbook.**

4. Equal access to all training and other company-sponsored activities is required, including those cases in which reasonable accommodations are needed to effect equal access.

5. Medical information must be kept strictly **confidential.**

6. Facilities are to be **accessible** to the extent possible if they are used by applicants and/or employees who are handicapped. New facilities used by customers and/or employees are to be barrier free.

7. Only **job-related** criteria may be used in any personnel process.

8. The company must provide "careful, thorough and systematic consideration" of the job qualifications of handicapped individuals for all applicable openings.

9. Handicapped and veteran applicants and employees are to be afforded the right voluntarily to **self-identify** if they consider themselves to be handicapped. Such declarations are to be treated with confidentiality.

10. The company is to maintain records documenting its compliance with these requirements. The Federal Department of Labor must have access to such records upon request.

Chapter Eight
Internal Mobility

Services from Rehabilitation to business in assisting qualified handicapped workers to receive promotions to higher-level jobs are among the most important services Rehabilitation can offer business. Vital, too, is help on lateral moves, which help a handicapped worker qualify for later promotions. Remember, too, that when a handicapped person moves to a new job, an opening is created into which a new person usually is placed: this offers Rehabilitation an opportunity to effect a placement.

We strongly recommend that Rehabilitation work hard to help handicapped people who have jobs secure internal moves. Often, especially when the economy is weak, placements are made which are below the individual's true potential or not in his or her best interests. Later moves to more appropriate jobs can complete the rehabilitation process.

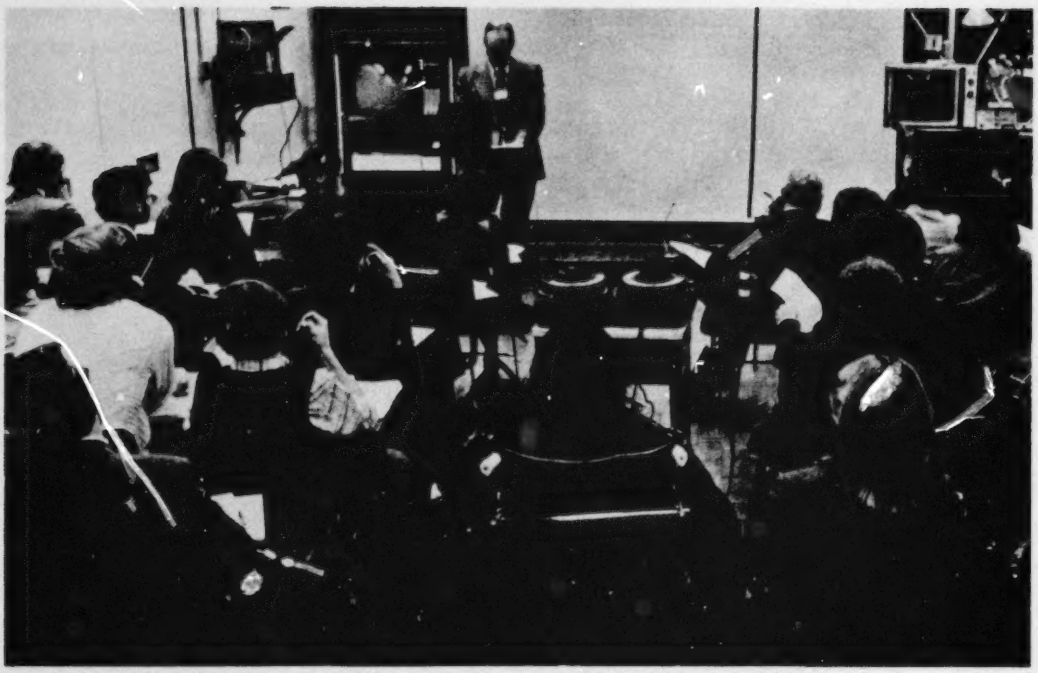
Adds Mr. Rochlin: "One disturbing aspect of the existing relationship between Rehabilitation and business is Rehabilitation's failure to follow-up after placement is made. If problems surface after employment, Rehabilitation's attitude often is: 'That's your problem, not ours.' Business remembers such failures to cooperate. When Rehabilitation comes again with a new client it hopes to place, business's response is: 'Where were you when we needed you?' The result: the relationship deteriorates or ends altogether. Further placements are not made. The employee who encountered problems is not being helped—and frequently becomes frustrated and may resign or if performance deteriorates be terminated by the company."

"It's a bad scene all around—and completely unnecessary. When problems surface in the post-employment phase, make it your business to help solve these problems. Business will appreciate your assistance—and respond more positively to new clients you want to place."

Rehabilitation may assist in upward and lateral mobility when the objective is to maintain the individual in employment or to help the person reach a level more commensurate with his or her potential. The work Rehabilitation performs will be most effective if such post-employment services are **planned** in advance and form part of the IWRP.

We emphasize Rehabilitation intervention in upward and lateral mobility throughout this book. We do so for very good reasons. Underemployment among handicapped persons is unacceptably high. Business very often keeps a handicapped person at the same job for years while promoting non-handicapped persons to better-paying jobs; it does not understand how to upgrade handicapped workers. Assistance in internal mobility is a vital service Rehabilitation has to offer business—one that all too often is neglected by State Agency personnel.

Chapter Nine
Training



Rehabilitation practitioners often misunderstand the role of training in business. It is a tragic error.

Business often hires persons who meet certain criteria—and **then** trains these persons to do a specific job. Many businesses prefer to do their own training ("We teach our people to do it our way.").

This means two things to Rehabilitation. First, it means that training is vital to successful placement. As a practitioner, you **must** follow up to ensure that the client receives equal access to training at the company. In addition, Rehabilitation can do training at the job site using company equipment. This is an underutilized technique that deserves more emphasis, especially as funding for equipment continues to be restricted in Rehabilitation programs.

Second, it means that Rehabilitation often is well-advised to concentrate upon helping clients become "job ready" and skilled in basic procedures. Accepting supervision, attending to a task, following procedures and orders, getting along well with co-workers, and the like are very important. Less important, for many companies at least, is occupational training.

This is **not** to say that vocational training is obsolete as part of the Rehabilitation process. Not at all. Often, such training helps clients become ready to meet the demands of jobs they will be seeking. Vocational training also serves to accustom clients to the routines of work in different occupations. All of this is important.

What we are saying is that the labor market is changing to some extent in many basic industries. Companies find that when they train their own employees, productivity increases. The workers learn on the firm's own equipment—which may differ from equipment Rehabilitation uses. The employees learn, too, the firm's preferences in operating procedures ("our way").

We recommend, then, that practitioners talk with area businesses about their training preferences. Such conversations can save months or even years in the Rehabilitation process—and result in more frequent and more successful placements.

Retraining is especially critical today, as the economy shifts from a "post-industrial" (goods-producing) to an "information-age" (services-producing) focus. Many jobs are

obsolete. Workers must be retrained or terminated. This includes handicapped as well as other workers.

Rehabilitation has a vital role to play in training as well as in retraining.

Specifically, business often does not know how to make training "accessible" to handicapped employees. How, it asks, can a mobility-limited employee who has special accessibility needs, which our training center is not prepared to meet, be helped? What about a retarded employee who learns more slowly than do others in our classes? A deaf employee whose reading level falls below that of our training manuals? A deaf worker who can't understand what our instructor says? A blind worker who can't read our training handbooks?

Because Rehabilitation is in the business of training handicapped persons for work, it is ideally situated to answer these questions for business.

Chapter Ten

Supervisor Awareness

Often, Rehabilitation can help acquaint a supervisor (and co-workers, too) with the handicapped employee's day-to-day needs on the job. Such awareness training can make the difference between a successful and an unsuccessful placement.

Says Mr. Rochlin: "In our Company, we've found that the supervisor makes the difference. Handicapped employees with supervisors who understand and meet their special needs are much more successful in their jobs than are other handicapped employees."

Superspeech, Inc., a nonprofit organization headquartered in Little Rock, Arkansas, offers awareness training about deafness and hearing impairment to employers throughout the State. The group's success has been remarkable. Hundreds of businesses have requested the training—and later have hired more deaf employees.

State Agency practitioners can provide similar training for supervisors of blind, mobility-impaired, mentally restored, retarded, and other disabled employees.

Following this page is a sheet on "language" that is sensitive to disabled persons' needs. You may wish to circulate this sheet to other practitioners—and make it available to area employers.

AT&T

Your Language. . . .

And People with Disabilities

Bell System communications often convey implicit as well as explicit messages. Just as our memoranda, letters, reports, speeches, and other forms of communication need to respect the rights and dignity of women and members of ethnic and racial minority groups so too must we exercise care and tact with respect to people who have disabilities.

A few simple guidelines will help you maintain high standards in communication.

1. *Are you using adjectives as nouns?* Phrases such as "the deaf," "all blind," and "most retarded" imply that the individuals involved are identical. Further, these phrases delete humanizing nouns such as "telephone operators," "employees," and "people."

   By contrast, using nouns helps you differentiate between people with a particular disability, exemplifying your recognition that these people are more different than alike.

2. *Are you stereotyping?* Use of language such as "John, a hard-working retarded person," suggests that retarded persons usually are not industrious employees.

3. *Are you using out-dated terminology?* Terms such as "crippled," "afflicted," "deaf and dumb," "retard," and the like are widely regarded among disabled persons as offensive and derogatory. Often they imply that the individual with a disability is "sick" or an object of pity.

4. *Are you unnecessarily linking the disability to the person?* If the situation does not require identification of the disability, why do so? If Joe Smith, a staff manager, writes an article for a Bell System publication on ways to prevent unnecessary repair costs, it is not necessary for the editor to identify Joe as being paraplegic. On the other hand, if the intent is to demonstrate that disabled persons are employed in a variety of occupations throughout the Bell System, identification may be both necessary and appropriate. In such cases, respect confidentiality by discussing the citation with the individual involved.

   Similarly, constructions such as "Jane Doe, a Bell System employee for 20 years, controls her epilepsy by ..." is preferable to "Epileptic Jane Doe ..." or "Jane Doe, an epileptic ..."

5. *Are you using the legal definition or speaking generally?* If your communication is based upon laws and regulations, *handicapped* is the appropriate term because it is used in these documents and is precisely defined there. For more general purposes, *disabled* is usually preferable.

The suggestions in this guide are quite simple. Most are just common sense. Others are a matter of being aware of inappropriate or offensive terminology. But they do make a dramatic difference in your communications. Consider the two paragraphs below. Notice how much more attractive and professional the second is as compared to the first:

Offensive

Federal law requires Bell System companies to protect the civil rights of the handicapped and disabled. Crippled and maimed, including those confined to wheelchairs, need ramps and other access modifications; those suffering from fits and spells and retards benefit from flexible and supportive management procedures; deaf and dumb need interpreters; the blind need Braille or recorded messages. The idea is not special treatment. Rather, it is to offer these applicants and employees a chance to compete equally with normal people.

Appropriate

Federal law requires Bell System companies to observe and protect the civil rights of persons with disabilities. Individuals who use crutches and wheelchairs need ramps and other access modifications; persons with mental disabilities, by contrast, benefit most from flexible and supportive management procedures. People having communication disabilities may need assistance in understanding what others say or write; deaf individuals, for example, often benefit from the services of interpreters while blind persons find Braille or recorded messages helpful. The idea is not special treatment. Rather, it is to offer these people, whether applicants or employees, an opportunity to compete equally with others throughout the Bell System.

YOUR GUIDE TO BETTER COMMUNICATIONS

Do Not Use	Use
The deaf, the blind	Deaf people, persons who are blind
Deaf and dumb, deaf mute	Deaf
Afflicted, crippled, maimed	Handicapped, disabled, or be specific, e.g. with/who has paraplegia
Dummy, crazy, insane, dull-witted, retard	Retarded, developmentally disabled, mentally restored
Victim, sufferer	Who has ..., who had...
Fits, spells, spastic	Seizure, with/who has Cerebral Palsy
Confined to a wheel chair	Uses a wheel chair

Prepared for AT&T Human Resources EO/AA Section by Dr. Frank Bowe, United States Representative to the United Nations for the International Year of Disabled Persons 1981.

AT&T

7/82

HUMAN RESOURCES
EO/AA SECTION

Chapter Eleven
Interventions

The Arkansas Rehabilitation Research and Training Center is preparing "intervention strategies" effective on behalf of handicapped persons in employment.

Some of these interventions are designed for use directly with handicapped clients and employees. Improved techniques and strategies for assessment (client evaluation, applicant evaluation) are being developed and field-tested. A range of support services for use both during rehabilitation and following placement are being designed.

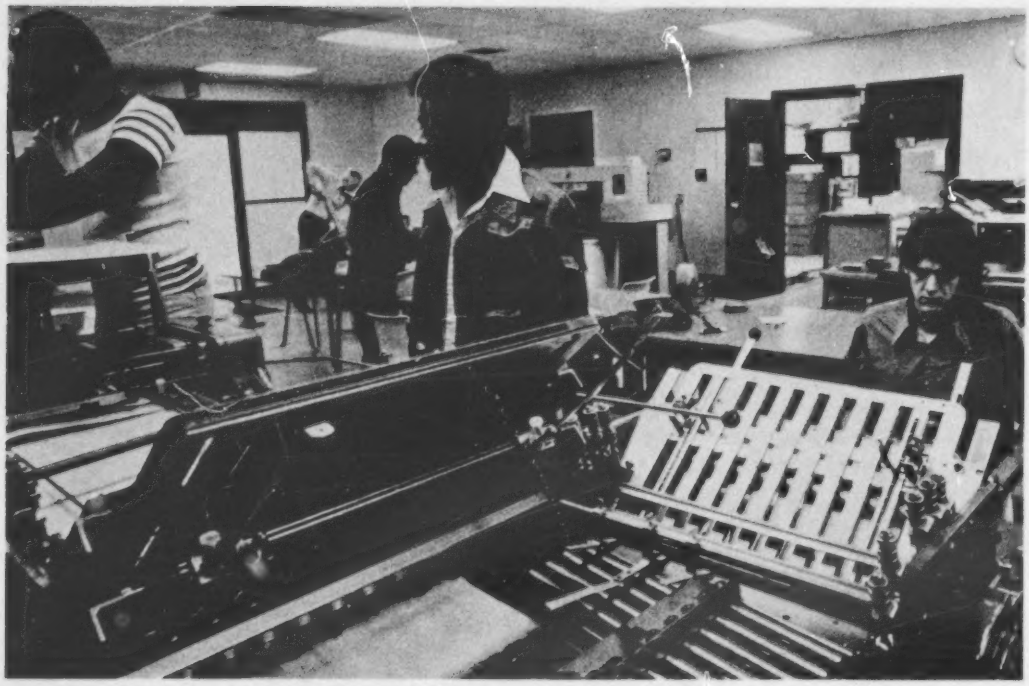
Other interventions are directed for use with family members and with employers. Family and peer support mechanisms are being studied.

For more information about these interventions, contact the ARR&TC (346 N. West Avenue, Fayetteville, AR 72701; 501/575-3656).

The Regional Rehabilitation Continuing Education Program (RRCEP) National Consortium, with its eleven units, can provide training throughout the nation. For information, contact the Arkansas RRCEP (University of Arkansas, P.O. Box 1358, Hot Springs, AR 71901; 501/624-4411).

The work of Superspeech, Inc., is an example of a successful intervention strategy. For more information, contact the organization (4601 West Markham Street, Little Rock, AR 72205; 501/371-6013).

Chapter Twelve
Government Programs



A **Targeted Jobs Tax Credit (TJTC)** is available to employers of qualified handicapped individuals referred by State Agency personnel. The credit is substantial: up to $3,000 on the first $6,000 of wages paid to a certified worker in the first year of employment **and** up to $1,500 on the first $6,000 paid during the second year of employment. Are businesses interested? Many are. One vice-president of a large corporation spends much of her time certifying applicants for the credit. Last year, she says, she saved her company several hundred thousand dollars. A Rehabilitation practitioner can perform similar functions for area employers of all sizes.

The **Job Training Partnership Act (JTPA)** replaced CETA effective October 1, 1983. State and local employment planning councils may provide detailed information about JPTA programs. Handicapped youth may be declared eligible to participate in JTPA regardless of family income. The governors of several States may declare handicapped children "a family of one" when determining eligibility for programs in their States. On-the-job training may be effected with JTPA funds, at no cost in salaries to the employer.

Subminimum wages may be paid to multiply handicapped persons judged unable to compete effectively in performance with nondisabled peers.

Targeted Jobs Tax Credit (TJTC) Program

1. **Voucher.** A TJTC-eligible employee or applicant may submit to an employer a voucher **(Form ETA 8468).** The employer completes the "Employer Declaration" portion of the voucher (Boxes 9-13f) and sends it to the address preprinted on the form. To complete the form, provide the information requested on the sample form included in the set of samples at the end of this chapter.
   - **9.** Name of firm
   - **10.** Projected or actual starting date for eligible employee
   - **11.** Projected or actual starting wage of employee
   - **12.** Job title or occupation
   - **13. a.** Company representative's name
     b. Company representative's title and signature

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c. Full address
d. Date voucher sent
e. Company representative's phone number and area code
f. Employer identification number (EIN)

Upon completion, give the **original** to the applicant and send one copy to the preprinted address on the form.

2. **Applicant Characteristics (Form ETA 8469).** This form is to be completed by the agency certifying the applicant or employee's eligibility for the TJTC program. A State Rehabilitation Agency may complete the form for a handicapped individual.

   To complete the form, provide the information requested on the sample form that follows the voucher sample:

   1. No entry required
   2. Enter date (mo/day/yr) the Eligibility Determination is made
   3-7. Enter name, Social Security number, sex, birthdate, and race of the individual
   8-9. No entry required
   10. Indicate whether or not the individual is a veteran
   11. Indicate the appropriate group according to specifications in targeted group definitions
   12. Indicate the source(s) used to determine eligibility

   Applicant's Declaration. Obtain individual's signature and enter date signed. If the person is under majority age, obtain a countersignature of parent or guardian.

   Participating Agency's Name and Address. Enter these for the office conducting the determination.

   Name of Authorized Official. Print name of staff member who conducted the eligibility determination.

   Phone Number. Enter the work telephone number and area code of the authorized official.

   Type of Determination. Check "Original" if individual is determined eligible for the first time; if it is a revalidation, check "Revalidation."

   Comments. Add any necessary supplementary information.

   The completed Form 8469 should be distributed as follows:

   Original: To the preprinted adress.
   Copy: Retain in client's file.

3. **Employer Certification (Form 8470** ...t the individual s a valid TJTC-eligible person, an Employer Certification form will be sent to the employer.

   The employer should retain a copy of Form 8470 as the basis for claiming the tax credit.

   The counselor should retain a copy in the client's file.

Rehabilitation may also assist appropriate employers in effecting participation in the **Job Training Partnership Act.** An agreement spelling out the details of the program—which individuals meeting what criteria will be trained, what hours they will work on what jobs, procedures to be followed to protect the employer's interests and the student's rights, and the like—may be prepared by the employer and the State Agency. We recommend that practitioners act quickly because it will be much easier to qualify under priorities and receive funds through state and local planning councils for programs that are supported from the beginning of each year's JPTA program than it will be to secure support later in the fiscal year.

Some eligible employers may be interested in subminimum wage provisions of the Fair Labor Standards Act, the Walsh-Healey Public Contracts Act, and the Service Contract Act. An

Application for Special Worker Certificate and a **Report of Medical Evaluation** form are included in the sample forms at the end of this chapter. Also appended are sample forms which have been completed on a hypothetical client.

As this book went to press, the Federal Minimum Wage was three dollars and thirty-five cents ($3.35) per hour.

The purpose of the Fair Labor Standards Act allowance for subminimum wages is to prevent curtailment of employment opportunities for severely handicapped persons who are unable to compete successfully for regular minimum-wage jobs because their levels of productivity are substantially below those of nonhandicapped candidates.

A certificate may be issued to a profit-making company as well as to nonprofit sheltered workshops or eligible individuals. The certificates are issued only for handicapped workers whose earning capacity is impaired by a physical or mental disability. Generally, the certificates provide for 75% of the statutory minimum wage (slightly above $2.41/hr.). Under no circumstances will pay at below 25% of the statutory minimum be allowed.

If the employer requests less than a 50% wage level, the State Rehabilitation Agency must certify that the employee is so severely impaired as to be unable to engage in competitive employment. In addition, the State Agency may issue temporary certificates not to exceed 90 days at not less than 50% of the minimum wage.

U.S. DEPARTMENT OF LABOR
Employment and Training Administration

VOUCHER

TARGETED JOBS TAX CREDIT

1. INITIATING AGENCY CODE	2. CONTROL NO
3. TYPE OF VOUCHER ("X" one) a. ☐ Original b. ☐ Revalidation	4. DATE COMPLETED (Mo., Day, Yr.)

Arkansas Employment Security Division
Research and Analysis Section (TJTC)
P. O. Box 2981
Little Rock, Arkansas 72203

(Participating Agency's Name and Address)

SIGNATURE (Authorized Official)	PHONE NO.

PART I. INTRODUCTION

5. NAME OF INDIVIDUAL (Last, First, Middle)	6. SOCIAL SECURITY NO.
7. ADDRESS (Number, Street, City, State, ZIP Code)	8. SIGNATURE

TO THE EMPLOYER:

The above named individual may be eligible for certification under the TARGETED JOBS TAX CREDIT (TJTC) program, as authorized under the IRS Code 44B. If the person is not employed before (Mo., Day, Yr.) Date ➡ *, this eligibility is subject to review.*

In the event you hire this person, you should request the certification necessary for you to claim a TARGETED JOBS TAX CREDIT. Simply complete the Employer Declaration below, mail to the STATE EMPLOYMENT SECURITY AGENCY (see address above) and the Employee TJTC Certification Form will be returned to you.

PART II. EMPLOYER DECLARATION

I HEREBY DECLARE that the above named person was or will be employed by:

9. NAME OF FIRM	10. EMPLOYMENT STARTING DATE (Mo., Day, Yr.)	11. STARTING WAGE $ per hour
	12. JOB TITLE OR OCCUPATION	

PLEASE SEND A TJTC CERTIFICATION FOR THIS EMPLOYEE.

13. AUTHORIZED EMPLOYER REPRESENTATIVE a. Name	b. Title Signature ➡
c. Address (No., St., City, State, ZIP Code)	d. Date (Mo., Day, Yr.) / e. Phone No. (Include Area Code) ( )
	f. IRS Identification No. (As shown on your tax return) ➡

14. COMMENTS

A Voucher Reliabilitation referral hired before September 27, 1978, may qualify the employer for the Targeted Jobs Credit if the employer claimed the new jobs credit under Section 44B of the Internal Revenue Code of 1954 for that individual in a taxable year beginning before January 1, 1979.

NOTE: Falsification of data on this form is a Federal crime in violation of 18 USC 1001. Falsification of work or concealment of information is punishable by a fine of not more than $10,000 or imprisonment of not more than 5 years.

ETA 8468 (Feb. 1979) R

1. CONTROL NO.	U.S. DEPARTMENT OF LABOR Employment and Training Administration **APPLICANT CHARACTERISTICS** TARGETED JOBS TAX CREDIT	2. DATE COMPLETED
3. NAME OF INDIVIDUAL *(Last, First, Middle)*		4. SOCIAL SECURITY NO.

I have determined the eligible individual to have the following characteristics:

5. SEX *("X" one)*	6. BIRTHDATE *(Mo., Day, Yr.)*	7. RACE *("X" appropriate box)*
a. ☐ Male b. ☐ Female		a. ☐ White *(not Hispanic)* b. ☐ Black *(not Hispanic)* c. ☐ Hispanic d. ☐ American Indian & Alaskan Native e. ☐ Asian & Pacific Islander

8. FAMILY INCOME *(Last 6 months annualized)*	9. NO. IN FAMILY	10. VETERAN STATUS *("X" One)*
$		a. ☐ Veteran b. ☐ Disabled Veteran c. ☐ Non-Veteran

11. TARGETED GROUP FOR TJTC CERTIFICATION *("X" one box only)*	12. SOURCE(S) FOR INFORMATION VERIFICATION *("X" appropriate box(es))*
a. ☐ Disadvantaged Youth (18 thru 24) b. ☐ Disadvantaged Vietnam-Era Veteran c. ☐ Disadvantaged Ex-Felon d. ☐ Vocational Rehabilitation Referral e. ☐ Youth *(16 thru 19)* in a Cooperative Ed. Program f. ☐ Supplemental Security Income Recipient g. ☐ General Assistance Recipient	a. ☐ Local Education Agency Records b. ☐ Driver's License c. ☐ Vocational Rehabilitation Agency d. ☐ State or Federal Parole Office e. ☐ Birth Certificate f. ☐ Local Welfare Department g. ☐ Welfare Identification h. ☐ DD Form 214 i. ☐ Other *(Indicate source)*

APPLICANT'S DECLARATION

I CERTIFY that the information I have supplied in completing this form is true and correct to the best of my knowledge. I AGREE that any information I have supplied may be subject to verification.

SIGNATURE OF APPLICANT	DATE	COUNTER SIGNATURE *(Parent or Guardian)*

PARTICIPATING AGENCY'S NAME AND ADDRESS	NAME OF AUTHORIZED OFFICIAL *(Print)*	
	PHONE NO.	TYPE OF DETERMINATION *("X" one)* a. ☐ Original b. ☐ Revalidated

COMMENTS

NOTE: Falsification of data on this form is a Federal crime in violation of 18 USC 1001. Falsification of work or concealment of information is punishable by a fine of no less than $10,000 or imprisonment of not more than 5 years.

ETA 8469 (Dec. 1980)

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION

Form Approved
OMB No. 44-R0323

FOR AGENCY USE ONLY			
AGE ☐		ORIGINAL ☐	
OTHER ☐		RENEWAL ☐	
WH-242 on file ☐		DENIED ☐	
RATE	FROM	TO	

APPLICATION FOR SPECIAL WORKER CERTIFICATE

INSTRUCTIONS: ALL ITEMS SHOULD BE COMPLETED.

a. This is an APPLICATION FORM ONLY (not a permit or certificate) used in applying for a subminimum wage certificate for a worker under the Fair Labor Standards Act, Walsh-Healey Public Contracts Act, and/or Service Contract Act (SCA). If the worker will be employed on SCA contract of more than $2,500, supply on a separate sheet of paper attached to this application: Name of prime contractor, contract number, dates of award and expiration, amount of the contract, applicable SCA wage determinations (including fringe benefits), type of service to be performed, and governmental agency name and location for which the service contract will be performed.

b. Four copies of this form are to be completed and then signed by both the employer and the worker. The employer should send the original and one copy of the completed form to the address shown above, give one copy to the worker, and keep one for his/her own files.

INFORMATION ABOUT EMPLOYER

1 Name of firm	2 Date of application
3a Address including ZIP Code, of establishment where worker will be employed	3b Area Code and Telephone Number

4 (a) Type of business _____
(Examples: retailing, wholesaling, manufacturing, processing, miscellaneous business services, etc.)

(b) Type of products or services _____
(Examples: men's and boys' clothing, seafood, hosiery, cigars, mail advertising etc.)

INFORMATION ABOUT WORKER

5 Name of worker Mr. Mrs. Miss	6 Date of birth	7 How long employed by firm?	8 How long at present job?

9 Home address, including ZIP Code, of worker

10 Amount firm proposes to guarantee worker in:

(a) Cash _____ per hour

(b) Reasonable cost of lodging board or other facilities, if furnished _____ per hour (*See Reg., 29 CFR Part 531*)

(c) How long has proposed rate been in effect for this worker? _____

11 Occupation in which worker is to be employed (Describe if job title is not self-explanatory)

12 Nature of worker's disability:

(a) Describe in FULL. (Do not use vague statements such as "nervous," "slow," etc.)

(b) Obvious ☐ Not obvious ☐ (Check one.)

(If disability is not obvious, a Report of Medical Examination Form WH-242 should be completed by a physician and accompany this application. For a renewal application submit Form WH-242 only when requested.)

(OVER - THE REVERSE SIDE OF THIS FORM MUST BE COMPLETED)

Form WH-222 (Rev. Jan. 1978)

INFORMATION ABOUT EARNINGS

Note: The information requested below must be properly completed to determine the certificate rate. Action cannot be taken on this application unless all the requested information is furnished.

13. (a) REGULAR employees in establishment during most recent week doing same type of work as described under item 11.

(1) NUMBER OF SUCH EMPLOYEES (If none, so state)	(2) STRAIGHT-TIME AVERAGE HOURLY EARNINGS (Excluding make-up)		(3) NUMBER PAID MAKE-UP TO EQUAL STATUTORY MINIMUM (If none, so state)	(4) AVERAGE MAKE-UP PER HOUR (Divide total make-up by total hours worked by employees paid make-up)
	Time work	Piece work		

(b) If the make-up paid reported in 13(a)(3) and 13(a)(4) above is the result of unusual circumstances explain.

14. Special worker's earnings for most recent 4 weeks he or she worked for the employer.

(a) WEEK ENDING (Date)	(b) HOURS WORKED (Total for week)	(c) STRAIGHT-TIME AVERAGE HOURLY EARNINGS (Excluding make-up)		(d) MAKE-UP PAY (Total for week added to equal authorized minimum. If none, so state.)	(e) OVERTIME PAY (Total paid for week over and above straight-time earnings)	(f) WEEKLY EARNINGS (Total gross earnings for week.)
		Time work	Piece work			

15. If worker has been employed during the above 4 weeks in an occupation other than that described in Item 11, specify occupation.

SIGNATURES OF EMPLOYER AND SPECIAL WORKER

16. I certify that to the best of my knowledge and belief, all statements are true and accurate.	Signature of employer or authorized official	17. Print or type name and official title
18. I have read the statements in this application and ask that the requested certificate be granted.	Signature of special worker *(If worker cannot write, signature may be made by mark (X) and witnessed by another person.)*	
19 Witness. *(Required ONLY if worker's signature is made by mark (X).)*	Signature of witness.	

DO NOT WRITE IN THIS SPACE - FOR AGENCY USE ONLY

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION

Form Approved
OMB No. 44-R0323

FOR AGENCY USE ONLY			
AGE ☐	ORIGINAL ☐		
OTHER ☐	RENEWAL ☐		
WH-242 on file ☐	DENIED ☐		
RATE	FROM	TO	

APPLICATION FOR SPECIAL WORKER CERTIFICATE

INSTRUCTIONS: ALL ITEMS SHOULD BE COMPLETED.

a. This is an APPLICATION FORM ONLY (not a permit or certificate) used in applying for a subminimum wage certificate for a worker under the Fair Labor Standards Act, Walsh-Healey Public Contracts Act, and/or Service Contract Act (SCA). If the worker will be employed on SCA contract of more than $2,500, supply on a separate sheet of paper attached to this application: Name of prime contractor, contract number, dates of award and expiration, amount of the contract, applicable SCA wage determinations (including fringe benefits), type of service to be performed, and governmental agency name and location for which the service contract will be performed.

b. Four copies of this form are to be completed and then signed by both the employer and the worker. The employer should send the original and one copy of the completed form to the address shown above, give one copy to the worker, and keep one for his/her own files.

INFORMATION ABOUT EMPLOYER

1. Name of firm: ABC Sheltered Workshop

2. Date of application: 3/1/81

3a. Address including ZIP Code, of establishment where worker will be employed: 1212 Main Street, Anywhere, USA 11111

3b. Area Code and Telephone Number: XXX-XXX-XXXX

4. (a) Type of business: Sheltered Workshop
(Examples: retailing, wholesaling, manufacturing, processing, miscellaneous business services, etc.)

(b) Type of products or services: Sub-manufacturing
(Examples: men's and boys' clothing, seafood, hosiery, cigars, mail advertising etc.)

INFORMATION ABOUT WORKER

5. Name of worker	6. Date of birth	7. How long employed by firm?	8. How long at present job?
Mr. / Mrs. / Miss John Doe - Client No. 8	6/28/57	8 months	6months

9. Home address, including ZIP Code, of worker: 1226 Broadway, Anywhere, USA 11111

10. Amount firm proposes to guarantee worker in:
(a) Cash ..... $1.70 per hour
(b) Reasonable cost of lodging, board or other facilities, if furnished -0- per hour *(See Reg., 29 CFR Part 531)*
(c) How long has proposed rate been in effect for this worker? 3 months

11. Occupation in which worker is to be employed (Describe if job title is not self-explanatory)
Sub-manufacturing - Packaging nuts & bolts

12. Nature of worker's disability:
(a) Describe in FULL. (Do not use vague statements such as "nervous," "slow," etc.)
WISC Full Scale IQ - 57

(b) Obvious [X] Not obvious [ ] (Check one.)
(If disability is not obvious, a Report of Medical Examination Form WH-242 should be completed by a physician and accompany this application. For a renewal application submit Form WH-242 only when requested.)

(OVER - THE REVERSE SIDE OF THIS FORM MUST BE COMPLETED)

INFORMATION ABOUT EARNINGS

Note: The information requested below must be properly completed to determine the certificate rate. Action cannot be taken on this application unless all the requested information is furnished.

13. (a) REGULAR employees in establishment during most recent week doing same type of work as described under item 11.

(1) NUMBER OF SUCH EMPLOYEES (If none, so state)	(2) STRAIGHT-TIME AVERAGE HOURLY EARNINGS (Excluding make-up)		(3) NUMBER PAID MAKE-UP TO EQUAL STATUTORY MINIMUM (If none, so state)	(4) AVERAGE MAKE-UP PER HOUR (Divide total make-up by total hours worked by employees paid make-up)
	Time work	Piece work		
15		.87	none	n/a

(b) If the make-up paid reported in 13(a)(3) and 13(a)(4) above is the result of unusual circumstances explain

14. Special worker's earnings for most recent 4 weeks he or she worked for the employer.

(a) WEEK ENDING (Date)	(b) HOURS WORKED (Total for week)	(c) STRAIGHT-TIME AVERAGE HOURLY EARNINGS (Excluding make-up)		(d) MAKE-UP PAY (Total for week added to equal authorized minimum. If none, so state.)	(e) OVERTIME PAY (Total paid for week over and above straight-time earnings)	(f) WEEKLY EARNINGS (Total gross earnings for week)
		Time work	Piece work			
1/30/81	20		$1.65	none	none	$33.00
2/6/81	30		$1.70	none	none	$51.00
2/13/81	35		$1.71	none	none	$59.85
2/20/81	30		$1.70	none	none	$51.00

15. If worker has been employed during the above 4 weeks in an occupation other than that described in Item 11, specify occupation.

SIGNATURES OF EMPLOYER AND SPECIAL WORKER

16. I certify that to the best of my knowledge and belief, all statements are true and accurate.

Signature of employer or authorized official: Signature required

17. Print or type name and official title: Jane Doe, Executive Director

18. I have read the statements in this application and ask that the requested certificate be granted.

Signature of special worker *(If worker cannot write, signature may be made by mark (X) and witnessed by another person.)*: Signature or mark required

19. Witness *(Required ONLY if worker's signature is made by mark (X).)*

Signature of witness: Required if client signs with mark

DO NOT WRITE IN THIS SPACE - FOR AGENCY USE ONLY

RATING FORM FOR MEASURING PRODUCTIVITY OF HANDICAPPED WORKER PAID AT HOURLY RATE

(Worker is to be rated at least once every 6 months)

SAMPLE

Name of Worker	Client No. 1	Job	Benchwork
Period of Rating	From 1/1/81 Through 3/20/81	Date of Employment	11/15/76
Rater	Supervisor #1		

HOW TO DETERMINE RATING

Enter for each factor below the numerical rating which reflects the handicapped worker's performance as compared with the performance that would be expected of an average nonhandicapped worker. The level for nonhandicapped workers should be considered as 100 percent.

Rating Groups		0 - 20%	21 - 40%	41 - 60%	61 - 80%	81 - 99%	100%
Factors Rated	Weight of Factor	Generally Unacceptable	Far Below Average Standards for Industry	Well Below Average Standards for Industry	Significantly Below Average Standards for Industry	Approaches Average Standards for Industry	Meets Average Standards for Industry
Quantity of Work	90%	.18					
Quality of Work	10%					.90	

COMPUTATION OF RATED WAGE

(A) .90* X Rating for Quantity of Work = .162 (B) .10* X Rating for Quality of Work = .090

(C) Total of (A) + (B) Above = .252 (D) Prevailing Industry Wage** for Job Rated = 3.40

(E) Product of (C) X (D) Above = .857 (Rated Wage)

*These figures are decimilized expressions of the weights 90% and 10% respectively.

**Prevailing Industry Wage is the hourly wage paid average nonhandicapped workers in industry in the vicinity for essentially the same type of work.

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION

Form Approved
Budget Bureau No. 44-R1196

LEAVE THIS SPACE BLANK

REPORT OF MEDICAL EXAMINATION

This report is requested in connection with an application for a certificate authorizing the employment of homeworkers or handicapped workers under the Fair Labor Standards Act, the Walsh-Healey Public Contracts Act, or the Service Contract Act. (See Item 5 below.) The form should be completed by a licensed physician and returned to the above address by the applicant.
THE U.S. GOVERNMENT DOES NOT PAY FOR THIS EXAMINATION.

1. Name and address, including ZIP Code, of applicant for certificate	2. Name and address, including ZIP Code, of employer

3. Type of work to be performed by applicant

4. Nature of examinee's disability (Describe disease, defect, or disorder)

5. Effect of disability. (Answer only item checked)

a. Application for special minimum wage lower than the applicable minimum wage. How and to what extent does the disability affect the applicant's ability to perform the type of work listed in item 3?

b. Application to work at home because of inability to work in a factory due to physical disability. How and to what extent does the disability affect the ability of the applicant to undertake work in a factory?

c. Application to work at home due to need to care for an invalid. Does the disability of the invalid warrant care to the extent of prohibiting employment of the applicant away from home? ☐ YES ☐ NO If yes, explain nature and extent of care required.

Name of person examined:

6. What is the prognosis?

7. Name and address, including ZIP Code, of examining physician (Print or Type)	8. Physician's signature
	9. Date

GPO 891-204

IF ADDITIONAL SPACE IS NEEDED, USE REVERSE SIDE OF FORM

Form WH-242 (Rev. May 1975)

Chapter Thirteen

Business Response

"The business of business is business." That quote from one of Mr. Rochlin's many speeches to Rehabilitation conferences expresses an important idea. Business never has been, is not now, and never will be in the rehabilitation business. AT&T knows telecommunications, IBM knows computers, American Airlines knows transportation and ARA Services knows health and food services. They look to someone whose business it is to do rehabilitation—to Rehabilitation agencies and organizations—for expertise in working with handicapped individuals. This deskbook is designed to help you meet that challenge. But the Business-Rehabilitation Partnership we're proposing is not a one-way street.

Once you've established the groundwork for a continuing cooperative relationship with business, consider putting forth the following requests for assistance from business:

1. **Briefings on future trends.** Where does the company think its industry is going in five/ten/twenty years? What kinds of people will it be looking for? How many openings does it project? Answers to these questions help Rehabilitation plan for the future.

2. **Training.** Business often will be pleased to send experts to address your meetings—and train your people. At State Agency staff meetings or retreats, Rehabilitation association board meetings, and consumer conferences, business executives will conduct training. You can request guest speakers and trainers who will address: accounting, leadership, delegating authority, employment law, the role of computers in tomorrow's world, what a board of directors does and how it should do it, lobbying at the state and national levels, writing effective public information and publicity releases, and many other topics. Such training may prove particularly useful for state and local consumer organizations.

3. **Mock Job Interviews.** Especially when hiring is "down" at a particular company, interviewers may be pleased to conduct "mock" job interviews with clients. Clients benefit from such simulated experiences—and business learns something, too.

4. **Meeting Space.** Often a company will make its training or conference facilities available for consumer groups and other organizations when the firm itself is not using these facilities. We've observed instances in which a company paid for all meeting participants' food and refreshments, supplied all audio-visual equipment needed, and offered high-quality technical support for nonprofit organization using the firm's training building.

5. **Executive on loan.** Many companies will lend an executive, at no cost to the group, for a period ranging from a week to a full year. The firm pays all salary and fringe benefits of the employee.

6. **Internships.** Graduate and undergraduate students in Rehabilitation may intern at area companies. This is an excellent opportunity to see employment "from the other side."

7. **Contacts.** Having difficulty interesting different companies in Rehabilitation? Ask an executive who does know you to arrange a luncheon to which he/she will invite peers from other area companies. Usually, you'll also get a list of names, addresses and phone numbers. This could cut your outreach time in half—and make your contacts much more receptive to you, because a peer has "certified" you as worth talking with by arranging the luncheon.

8. **Publicity.** Quite frequently, corporate public relations staff will help you arrange for publicity of the State Agency's work. This may be through paid advertising that the firm purchases; it may be through "information advertising," as when Mobil called national attention to the need for more contributions in support of the arts; it may be something as simple as a phone call to an editor or television news producer.

9. **Assistance to individuals.** Sometimes, a firm producing equipment will lend its engineers

and technicians to help modify or even create an accommodation to meet a special need. For severely disabled individuals with unusual needs, such creative engineering can make a very great difference.

Jesse Jackson of Chicago's PUSH has demonstrated another approach Rehabilitation and consumer groups might take. Jackson got Coca Cola and other large firms to focus some of their resources—granting distributorships, reserving places on high-level governing and advisory boards, granting franchises, purchasing supplies from contractors—to blacks who operated their own businesses. Not all disabled people want to work for corporations—and not all should. With a few contracts in hand, many can set up their own companies.

10. **Jobs.** We keep coming back to this. By building a solid relationship with business, you generate more and more placements as time goes by. DuPont, for example, had 1452 disabled employees in 1973; by 1981, the total was 2745, for an 89% increase in eight years. The entire paid work-force of DuPont increased only 13% in the same period. That's what happens when a company gets "turned on" to employment of handicapped individuals.

Chapter Fourteen
Making the Partnership Work

How can a practitioner initiate relations with business?

Jay Rochlin, AT&T Human Resources Manager and one of the authors of this text observes: "I know that many practitioners are apprehensive about approaching business. But I hope they remember that business frequently is just as apprehensive about approaching rehab."

Some Suggestions

1. **Begin in** what Mr. Rochlin calls **"a period of calm."** You will be most successful if you approach business when you are **not** trying to make an immediate placement—and when business is **not** attempting to make an immediate hire.

   Aim instead to build a continuing, long-term partnership.

2. **Approach more than just hiring staff.** If you restrict your contacts to employment staff members, you are limiting your effectiveness. Rather, talk to personnel staff members, supervisors of handicapped employees, members of the company's education and training staff, practitioners, and others in the target firm.

3. **Take a service-centered approach.** Suggests Rochlin: "Business people will be most receptive to you if you begin by telling them about the services Rehabilitation has to offer their companies. Don't push a placement right away. That is what business will expect you to do. Rather, offer services that company needs and wants."

4. **Understand the company.** This should go without saying, but we'll say it because so many people so often skip this vital step. You can learn much about a particular company by talking with people in the community. Don't overlook workers employed by the company whom you know socially. Spend a few hours in a local library, or at a town chamber of commerce office, familiarizing yourself with the nature of the firm's business, the size of its

operations, its "culture" or philosophy, the names of its key officials, and its competition. Watch the daily papers, and listen to radio or television reports, for current information on the company's activities.

The most effective practitioners will be those who show business that they have done their homework. These practitioners know if a business is hiring. They know if the company already has employed persons with disabilities—and what the firm's experiences have been with these workers. These practitioners know, too, what kinds of people the company needs.

Such preparation is invaluable. It enables you to open a conversation by saying: "I understand your company may be interested in _____. That's a service our State Agency is prepared to offer your firm. Here's what we can do for you."

Such an approach impresses your contact immediately. It begins the relationship on a positive note. And the business person sees quickly that you have something valuable to offer, not just another job-seeker to sell.

5. **Explain about Rehabilitation.** We suggest that you spend some time familiarizing yourself with the particulars of a company's business before making the initial contact. Consider too, planning answers to questions business people are apt to have about Rehabilitation.

   Most likely, these will be the most basic of questions: "What does the Agency do?" "Will you people charge us for your services?" And don't be surprised to hear: "Why haven't we heard from you people before?"

   It might help you to "practice" with a neighbor. Ask your friend what questions he or she has about Rehabilitation. Quite possibly, these are the same exact questions you will hear when you meet with your business contact person.

6. **Be honest.** If you don't know the answer to a particular question, say so. And add: "I'll be back to you on Monday with that information."

7. **Follow-up.** Do what you said you would do—when you said you would do it. Business respects responsible people.

8. **Have resources readily available.** Much of the information business wants is published somewhere. Or it's in a file in somebody's office. Or it's "in Joe's head."

   You will be most successful if you prepare, ahead of time, a file or loose-leaf binder with local, state, and national resource information.

   Who does accessibility consultation? How does one obtain skilled sign-language interpreters? What are the provisions of section 503? What does section 402 say about "special disabled veterans?" What information is needed to complete an application for the targeted jobs tax credit program—and to whom are applications sent? How long does it take for a company to qualify a worker for such a program?

   These are questions you can anticipate—and be prepared to answer.

9. **Pay particular attention to already-employed workers.** In fact, we recommend that you study their needs even if they are not current clients. The reasons: if you help a disabled employee move upward to a better job, you create a new entry-level opening into which you may later place a current client, **and** you provide needed help immediately at no "cost" to the company. Hiring someone new does cost a company money: in fact, creating a new job involves the expenditure, on average, of more than $25,000. This is one reason many companies hire only when they have no other choice. But if your services help make a worker more productive, this involves no "costs" to the company—and in fact saves it money by generating more "value added" from the employee's work.

10. **Don't expect immediate results.** From Mr. Rochlin again: "Business often moves slowly. Very slowly. Anticipate that. Follow up, again and again, with different people. You'll be rewarded for your persistence."

Experience shows that **personal contact** is the **sine qua non** of success in work with business. Joseph H. Owens, executive director of the Council of State Administrators of Vocational Rehabilitation, often makes this point: "Personal relationships at the top and at the practitioner level are the key." When the agency administrator **and** staff members develop with business people sustained relationships built upon mutual trust and respect, a continuing partnership will emerge.

Resource Material

The following books by the senior author of this book may prove of interest to practitioners.

Black Adults with Disabilities. Washington: President's Committee on Employment of the Handicapped (PCEH), 1983.

Demography and Disability. Hot Springs: Arkansas Rehabilitation Research and Training Center (ARR&TC), 1983.

Disabled Adults in America. Washington: PCEH, 1983.

Disabled Women in America: Washing: PCEH, 1983.

Handicapping America. New York: Harper and Row, 1978.

Hispanic Adults with Disabilities. Washington: PCEH, 1983.

Reasonable Accommodation Handbook. (Published by AT&T, 1982) Washington: National Center for a Barrier Free Environment, 1983.

Rehabilitating America. New York: Harper & Row, 1980.